

# Amador Air District Board of Directors Meeting

## Summary Minutes

---

---

Meeting was partially recorded in the Amador County Board of Supervisors Chambers  
810 Court Street, Jackson, California  
1:30 p. m. August 18, 2015

---

---

### Determination of a Quorum

#### Present on Roll Call:

|                 |  |
|-----------------|--|
| John Plasse     | Amador County District 1, Supervisor   |
| Richard Forster | Amador County District 2, Supervisor   |
| Lynn Morgan     | Amador County District 3, Supervisor   |
| Brian Oneto     | Amador County District 5, Supervisor   |
| Pat Crew        | City of Jackson, Councilman (Chairman) |
| Jon Colburn     | City of Plymouth, Councilman           |
| Robin Peters    | City of Sutter Creek, Councilman       |

#### Absent on Roll Call:

|                 |                                      |
|-----------------|--------------------------------------|
| Michael Vasquez | City of Amador City, Councilman      |
| Patrick Weart   | City of Lone, Councilman             |
| Louis Boitano   | Amador County District 4, Supervisor |

#### Staff:

Kris Pierce, Clerk of the Board

Jim McHargue, APCO

Matt Peterson, Inspector

NOTE: These minutes remain in *Draft* form until approved by Minute Order at the next regular meeting of the Board of Directors. Any packets prepared by Staff are hereby incorporated into these minutes by reference as though set forth in full. Any staff report, recommended findings, mitigation measures, conditions, or recommendations which are referred to by Board members in their decisions which are contained in the staff reports are part of these minutes by reference only. Any written material, petitions, packets, or comments received at the hearing also become a part of these minutes by reference.

At 1:31 p.m. Chairman Crew called the meeting to order. It was determined that there was a quorum for business.

**Pledge of Allegiance:** Chairman Crew led the Board and staff in the *Pledge of Allegiance*.

**Approval of Agenda:** Approval of the agenda for this date; any and all off-agenda items must be approved by the Board (pursuant to §54954.2 of the Government Code).

|         |   |
|---------|---|
| Motion: | It was moved by <u>Director Oneto</u> , seconded by <u>Director Forster</u> , and unanimously carried to approve the agenda for this date as submitted. |
|         | <b>Absent:</b> Directors Boitano, Vasquez, and Weart  |

**Public Matters Not on the Agenda:** Discussion items only; no action to be taken. Any person may address the Board at this time upon any subject within the jurisdiction of the Amador Air District Board of Directors; however, any matter that requires action may be referred to staff and/or a committee for a report and recommendation for possible action at a subsequent Board meeting. **Please note - there is a five (5) minute limit per topic.**

Jackie Vaughn resident of the Lockwood Area on Shake Ridge Road – Read a letter thanking the Board for having the pine needle bin at Lockwood Station #1 at 23141 Shake Ridge Road. She related that she is active with the Fire Protection Board and the neighborhood message boards for that area. Jackie presented the Board with printouts of messages of support of the bin and requests to have the bin on a permanent basis.

### Administrative Matters

|                |  |
|----------------|--|
| <b>1.</b>      | <b>Minutes: Review and approval of the June 16, 2015 Board Minutes:</b> Action   |
|                | There was a correction to the minutes; page 3 of 5 half way down the word country was used instead of county.  |
| <b>Motion:</b> | It was moved by <u>Director Plasse</u> , seconded by <u>Director Forster</u> , and unanimously carried to approve the Minutes as corrected. Vote 5/2 |
|                | <b>Absent:</b> Directors Boitano, Vasquez, and Weart<br><b>Abstain:</b> Directors Peters and Colburn   |

|                       |  |
|-----------------------|--|
| <b>6. APCO Update</b> | <p><b>Pine Needle Collection Projects: Informational</b> - moved forward at the request of APCO McHargue on behalf of Jackie Vaughn</p> <p>APCO McHargue related that the following projects are active at this time.</p> <p>Pine Acres Community Services Building on Tabeaud Road – one 30 yard bin</p> <p>Silver Drive in Pioneer – two 30 yard bins</p> <p>Lockwood #1 at 23141 Shake Ridge Road – one 30 yard bin</p> <p>Sutter Creek at the Fire Station – one 40 yard bin</p> <p>Fern Ridge Drive – one 40 yard bin</p> <p>Fortress Drive – one 30 yard bin</p> <p>Fern Ridge will be ending the end of the month.</p> <p>Fortress is scheduled to end Labor Day week.</p> <p>APCO McHargue stated that the funding for the projects will be covered during the Final Budget item. Many people have contacted the District and commented that they believe there is a direct connection between the Pine Needle collection bins and a</p> |
|-----------------------|--|

Summary Board Minutes for August 18, 2015

|           |   |
|-----------|---|
|           | <p>reduction of smoke during burn season.</p> <p>Jackie Vaughn spoke to the concerns of fire safety and believes that the Pine Needle collection bins will cut down on the escape burns in the spring. She urged the Board to budget this every year.</p> <p><b>Question:</b> The dumpsters when they are exchanged, does the material go directly to Vicini's or does it go elsewhere first?</p> <p>Mr. Merv Vicini – Vicini Brothers, Inc.; The material is taken to the Transfer station in Pine Grove where it is intermingled with other material and then reloaded and hauled to Vicini's. If the bins are kept in place year round, you will be hauling a lot of water and snow which will make the material a muddy soup that will be impossible to grind. There is a lot of dirt that is included with the needles. Go until the rainy season starts then stop until spring and start up again.</p> <p><b>Question:</b> What is the District being charged by Aces for the bins?</p> <p>APCO McHargue; the haul charge is \$195.00 and the tonnage is \$17.00 per ton.</p> <p>At the end of this item, the meeting returned to the agenda as printed.</p>  |
| <p>2.</p> | <p><b>Consideration of the Burn Permits and Fee:</b> Discussion and Possible Action</p> <p>APCO McHargue introduced this item stating that at the previous meeting the idea of potentially lowering the burn permit fee was brought up. He felt that this issue should be addressed instead of leaving it as an open item.</p> <p>APCO McHargue reminded the Board that the money received is directly linked and dedicated to expenditure line 54120 Community Projects.</p> <p>APCO McHargue explained the graph that is in the packet showing the money that has been received from the permits and the money that has been directly expended from the Community Projects expense line. It was explained that after the Green Waste Voucher Program was discontinued as too costly, no large projects were conducted for a couple of years.</p> <p>In addition to the burn permit fees, additional funds are necessary and are taken from DMV fees and other revenue sources.</p> <p><b>Question:</b> In relation to the surrounding counties where do we compare?</p> <p>Amador is on the lower side of the fees that are being collected for burning.</p> <p>The burn permit fees are not adequate to cover the cost of burning in the county, complaint response including investigations, reports and follow-up and issuance of the permits. The chart shows only the direct cost, i.e., the dumpsters. The overhead costs are absorbed by the District.</p> <p><b>Question:</b> The costs shown on the graph for 11-12 are much higher than for previous years and then in 12-13 and 13-14 there is almost nothing. How is this accurate?</p> <p>APCO McHargue – The chart is only showing the direct costs of the projects, not the overhead costs. In 11-12 the Green Waste Voucher program was piloted. It was extremely expensive and there was no way to control the material received, that the District paid for, whether from professional landscapers, whom were to be excluded, or from residents. The material was dropped off at the Pine Grove Transfer Station and was co-mingled and hauled to Vicini's. The tonnage rate at that time was higher. The \$80,000 was actually spent within a six month period. After that the APCO chose not to run the pine needle projects except for the occasional short neighborhood bin. In 14-15 as the APCO, I have elected to start the projects again.</p> <p><b>Question:</b> What are we trying to accomplish with the burn permit fee?</p> <p>The fee is there for the overall management of tracking burning within the District including complaint handling and reporting. The fee is not meant to deter burning as burning is allowed in the county. We use their visit to the office as an opportunity to</p> |

Summary Board Minutes for August 18, 2015

|  |  |
|--|--|
| <p><b>Motion:</b></p>                  | <p>answer questions and educate them.</p> <p>It was moved by <u>Director Plasse</u>, seconded by <u>Director Morgan</u>, and unanimously carried to leave the burn permit fee where they are (\$30) and re-evaluate next year. Vote 7/0</p> <p><b>Absent:</b> Directors Boitano, Vasquez, and Weart</p>  |
| <p><b>3.</b></p> <p><b>Motion:</b></p> | <p><b>Grand Jury Report: Action</b><br/>         APCO McHargue presented his draft response to the Grand Jury Report to the Board. A few recommendations for changes were made, but overall the Board was very pleased with the presented document.</p> <p><b>Recommended Changes:</b><br/>         F10 the term 'ARB' was used and should be changed to District and further clarify what material goes to Vicini's.<br/>         R1 and R2 the term 'finding' was used when the correct term is 'recommendation'.</p> <p>It was moved by <u>Director Forster</u>, seconded by <u>Director Peters</u>, and unanimously carried to accept the Grand Jury Report with the recommended corrections. Vote 7/0</p> <p><b>Absent:</b> Directors Boitano, Vasquez, and Weart</p>   |
| <p><b>4.</b></p>                       | <p><b>Vicini Project Request: Action</b><br/>         Director Peters recused himself due to conflict of interest and left the room for the duration of this item.</p> <p>APCO McHargue opened this item reviewing the information from his memo. APCO McHargue reiterated that his request today is for authorization to expend up to \$2,000 for engineering services to assist with the Vicini's loan application.</p> <p><b><i>What is the basis for this request for assistance with the loan? Is it because they are grinding green waste in the county, reducing air pollution in the long run?</i></b><br/>         The equipment has to be CARB compliant. The Vicini's operation offers the county a unique situation where we have a green waste/composting facility here that allows us to utilize an overabundance of green material. Other counties have green waste that they have no way of processing.</p> <p><b><i>Does this help us (county) meet our 50% diversion (of material from the landfill)?</i></b><br/>         Yes it does.</p> <p><b><i>If the Vicini's get the loan, will they have the 25%?</i></b><br/>         We are at the beginning of this process and we don't really know what is going to happen with the loan application. When we have enough information, then we will need to consider what the Air District's role is when supporting a project like this and to what extent providing money or loaning money is appropriate.</p> <p><b><i>Are any state-funded programs available for this project?</i></b><br/>         This would be Moyer funds and is another direction that will be investigated instead of the District funding the project via gift or loan.</p> <p><b><i>Are the Vicini's in a position that they need a straw poll from this Board to see if we want to assist them with this? What would happen if they went through with this and then found that the Board does not want to assist them? Would they be going</i></b></p> |

|  |  |
|--|--|
| <p><b>Motion:</b></p>                  | <p><b><i>through the process for nothing? If we are unwilling to assist with the 25%, will they move forward with the acquisition anyway? If they couldn't, why spend the money on the application?</i></b></p> <p>Mr. Merv Vicini responded; we could probably get the additional funding, but it would sure be a big help. As far a putting a particulate filter on the current machine, that would work if we did not need to move the unit (it is portable unit). A particulate filter puts it over weight. We do move it to the biomass plant and other areas.</p> <p><b><i>What are the terms of this loan?</i></b></p> <p>The terms with Cal Recycle are 10 years at 4%.</p> <p>APCO McHargue explained that initially Cal Recycle was speaking about 100% coverage of the funds. There is still the possibility that grant funds may become available that will cover the \$95,000 and he would expect grant funds to be pursued. Again, the application needs to be submitted to get any further down the road to any funds.</p> <p>The Board's concern is agreeing to assist Vicini's with the 25% (\$95K) then having a grant become available for a 100% loan, but the District being obligated by their agreement to still provide the 25%. In addition, not wanting to provide the engineering assistance funds if they are unwilling to support the project for the 25% if needed.</p> <p>APCO McHargue said that the funds \$95,000 could be a combination of Contingency and Special Projects funds if approved in the future.</p> <p>It was moved by <u>Director Forster</u>, seconded by <u>Director Oneto</u>, and unanimously carried to expend up to \$2,000 for engineering assistance to Vicini Brothers. Vote 6/0</p> <p><b>Absent:</b> Directors Boitano, Peters, Vasquez, and Weart</p> |
| <p><b>5.</b></p> <p><b>Motion:</b></p> | <p><b>Adoption of Final FY 15-16 Budget by Resolution 15-03: Action</b></p> <p>Director Peters returned to the meeting.</p> <p>APCO McHargue stated that he made the changes requested by the Board and because no direction was received for revenue that was unaccounted for he moved those funds, \$53,017, into 59500 Contingencies. APCO McHargue explained that he believes that having a contingency fund this year is good for several reasons. It is his first budget for the District, staff believes that the budged \$30k for community projects will be insufficient for the year given the popularity of the pine needle bins and any contingency funds used work toward our goal to reduce the cash reserves.</p> <p>When the cash reserve graph sheet supplied by APCO McHargue is compared to the financials (balance sheet) at the end of the packet the numbers are not the same. Why is that? The request was made that APCO McHargue be able to clarify the Cash Reserve Process for the Board.</p> <p>It was moved by <u>Director Oneto</u>, seconded by <u>Director Plasse</u>, and unanimously carried to approve the FY 15-16 Budget as presented and sign Resolution 15-03. Vote 7/0</p> <p><b>Absent:</b> Directors Boitano, Knox, and Weart</p>  |

|                       |   |
|-----------------------|---|
| 5.                    | <p><b>APCO Update:</b> Informational Only</p> <p><b><i>Pine Needle Collection Projects</i></b><br/>This item was covered prior to Item 2.</p> <p><b><i>Community Meeting regarding BVBP at the Oaks</i></b><br/>Director Peters asked that it be put on record that though he does have a conflict of Interest with the Buena Vista Biomass Plant, as this is an information item only, he is not recusing himself.<br/>APCO McHargue stated that everything is set for the meeting on August 29<sup>th</sup> at the Oaks in Lone and he is expecting a good turnout.</p> <p><b><i>Lone and Amador City Appointed Air District Directors</i></b><br/>Michael Vasquez has been appointed as the Amador City representative from Amador City. He did let the District know that he could not attend due to meetings in Sacramento.</p> <p><b><i>Financials (through June 2015 – FY 14-15 complete)</i></b><br/>There were no questions.</p> |
| <b>Correspondence</b> | None  |

**Adjournment:** At 2:56 p.m., Chairman Crew adjourned the meeting to October 20th at 1:30 p.m., our regular meeting time.

ATTEST:



Kris Pierce,  
Clerk of the Amador Air District Board of Directors